

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE AS TO
	:	<u>SPECIFIC PROPERTY</u>
JEREMIAH GILLIAM,	:	
	:	24 Cr. 403(VSB)
Defendant.	:	
-----	x	

WHEREAS, on or about June 24, 2024, JEREMIAH GILLIAM (the “Defendant”), was charged in a two-count Indictment, 24 Cr. 403 (VSB) (the “Indictment”), with possession of ammunition after a felony conviction in violation of Title 18, United States Code, Section 922(g)(1) and 2 (Count One); and possession of a firearm after a felony conviction in violation of Title 18, United States Code, Section 922(g)(1) and 2 (Count Two);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One and Two, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in or used in the offense charged in Count One of the Indictment, including but not limited to:

- a. One 9mm firearm;
- b. Ninety-eight rounds of 9mm Luger ammunition; and
- c. One extended magazine containing twenty rounds of 9mm ammunition

WHEREAS, on or about December 4, 2024, the Defendant pled guilty to Count One and Two of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One and Two of the Indictment

and agreed to forfeit to the United States, all right, title and interest of the Defendant in the following specific property:

- a. one 9mm firearm seized on or about January 16, 202⁴₁; VSB
- b. ninety-eight rounds of 9mm Luger ammunition seized on or about January 19, 2023 (the "Ammunition"); and
- c. one extended magazine containing ^④ twenty rounds of 9mm ammunition seized on or about January 19, 202₁ (the "Magazine"); VSB

WHEREAS, the Defendant further consents to the forfeiture of all his right, title and interest in the following property, which constitutes property used or intended to be used to facilitate the offenses charged in Counts One and Two of the Indictment:

- a. one 9mm Ruger firearm bearing serial number 332-93677 seized on or about January 16, 202₁; VSB
- b. the Ammunition; and
- c. the Magazine

(a through c., collectively, the "Specific Property"); and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, William K. Stone, of counsel, and the Defendant, and his counsel, Amy Gallicchio, Esq., that:

1. As a result of the offenses charged in Counts One and Two of the Indictment, to which the Defendant pled guilty, all of the Defendant's right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture as to Specific Property is final as to the Defendant, JEREMIAH GILLIAM, shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, the United States (or its designee) is hereby authorized to take possession of the Specific Property and to hold such property in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, www.forfeiture.gov. This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property,

(ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to 32.2 (b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

10. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Property may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIÁN WILLIAMS
United States Attorney for the
Southern District of New York

By:


WILLIAM K. STONE
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2521

12/03/2024

DATE

JEREMIAH GILLIAM

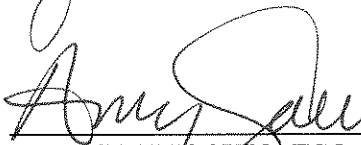
By:


JEREMIAH GILLIAM

12/4/24

DATE

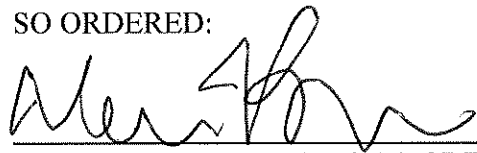
By:


AMY GALLICCHIO ESQ.
Attorney for Defendant
52 Duane Street, 10th floor
New York, NY 10007

12/4/24

DATE

SO ORDERED:


HONORABLE VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

12/4/24

DATE